

REGISTER OF CLASSIFICATION DECISIONS

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| Title of Publication: | The Peaceful Pill Handbook (New Revised International Edition) |
| Other Known Title: | The Peaceful Pill Handbook |
| Medium: | Book |
| Director/Author: | Philip Nitschke, Dr Fiona Stewart |
| Producer/Publisher: | Exit International US Ltd |
| Country of Origin: | United States |
| Language: | English |
| Applicant: | Comptroller of Customs |
| Distributor: | Not Stated |
| Classification: | Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years. |
| Descriptive Note: | No note. |
| Display Conditions: | <p>That when the publication is on public display, the classification given to the publication must be shown by way of a label issued in accordance with a direction under section 36A(2);</p> <p>and</p> <p>That the label must be affixed to the package in which the publication is displayed so that the classification is brought to the attention of purchasers;</p> <p>and</p> <p>That the publication must be publicly displayed only in a sealed package.</p> |

Date of entry in Register: 09 May 2008

Date of direction to issue a label: 06 May 2008

OFLC No: 800267

Excisions: Not Applicable

Reasons for excisions:

Not Applicable

**Summary of reasons
for classification:**

The Peaceful Pill Handbook (New Revised International Edition) is classified as:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The publication is a well-intentioned book that advocates law reform and gives advice to enable the seriously ill and elderly "to make carefully considered and fully informed decisions about their own life, and death." This advice includes comparison of various means of suicide, which is not illegal. The book argues that the law should be changed to permit seriously ill and elderly people access to pentobarbital, a drug the authors consider to be the most dignified and peaceful means of suicide. When advocating law reform or a change in social perception, it is often necessary to describe the benefits of the thing or practice that is outlawed or stigmatised to get the law reformed or the perception changed. Although these parts of the book deal extensively with suicide methods, an "infliction of serious physical harm" in terms of s3(3)(a)(i) of the Films, Videos and Publications Classification Act 1993 (FVPC Act), they are written in a manner that gives factual advice on how to structure one's activities to be lawful, and that supports the advocacy of law reform. They do not instruct in the commission of criminal activity. In the hands of its intended readers, these parts of the book are unlikely to be injurious to the public good.

The authors go to considerable effort to remove themselves from liability for "advocating or inciting" the reader to engage in criminal activities by means of "authors' note" disclaimers and the use of first-person testimonials. Blacked out sections indicate, by means of section headings that remain or by the text that remains adjacent to such obscured segments, the gist of the information that has been removed from this revised edition of the book. The dominant effect of these rather obvious 'censored sections' is that the book no longer provides sufficient practical instructional detail in how to commit crime to fall within s3(3)(d) of the FVPC Act. A secondary effect is that readers are left in no doubt about the authors' opinion of New Zealand censorship law and of the Classification Office's application of it to the first version of this book. This secondary effect is, however, of no concern to the law because it is an expression of opinion. As repugnant as some members of the public may find the open discussion of voluntary euthanasia, suicide methods and the law, the New Zealand Bill of Rights Act 1990 (NZBR Act) preserves the authors' right to freedom of expression and to impart the information and opinions contained in the book in its present revised form.

In terms of s3B, however, the book's clinical accounting of meticulously planned suicides by various methods, its sometimes self-congratulatory do-it-yourself ethos and its many photographs and diagrams could appeal to young readers. The book may have the effect of making self-inflicted death appear acceptable and even desirable as a means to solve life's problems for such readers, given its approving and encouraging tone with respect to suicide. The rating of various methods may also encourage such readers to feel that their death can be achieved without undue suffering to themselves, the prospect of which may previously have acted as a deterrent. Younger readers are less likely to recognise that the book is not intended for them or be able to weigh the information in the book against the knowledge that troubles can be overcome and life become enjoyable again with time and effort. Other young readers are likely to be disturbed by the material and could become unnecessarily fearful that they will prematurely lose loved ones who may be elderly or ill.

The risk of imitation by young persons of the self-harm outlined in the book, particularly those less complicated methods of suicide such as the use of an exit-bag, is significant. Unless restricted to persons 18 years of age and over, this material is likely to be injurious to the public good because the general levels of emotional and intellectual development and maturity of persons under that age mean that the availability of the publication to those persons would be likely to cause them to be greatly disturbed or shocked and increase significantly the risk of them killing, or causing serious harm to, themselves, others, or both.

The Classification Office has considered the effects of the Bill of Rights on the application of the classification criteria elsewhere in these reasons. The classification of this publication interferes with the freedom of expression, but this is a reasonable limitation on those freedoms which is demonstrably justified in accordance with sections 5 and 6 of the NZBR Act and reflects the concern of "a free and democratic society" to limit the availability of publications that may significantly increase the risk of children and young persons killing or causing serious harm to themselves, others, or both.